# IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA COLUMBIA DIVISION

THE SOUTH CAROLINA STATE CONFERENCE OF THE NAACP,

and

TAIWAN SCOTT, on behalf of himself and all other similarly situated persons,

Plaintiffs,

v.

THOMAS C. ALEXANDER, in his official capacity as President of the Senate; LUKE A. RANKIN, in his official capacity as Chairman of the Senate Judiciary Committee; JAMES H. LUCAS, in his official capacity as Speaker of the House of Representatives; CHRIS MURPHY, in his official capacity as Chairman of the House of Representatives Judiciary Committee; WALLACE H. JORDAN, in his official capacity as Chairman of the House of Representatives Elections Law Subcommittee; HOWARD KNAPP, in his official capacity as interim Executive Director of the South Carolina State Election Commission; JOHN WELLS, Chair, JOANNE DAY, CLIFFORD J. ELDER, LINDA MCCALL, and SCOTT MOSELEY, in their official capacities as members of the South Carolina State Election Commission,

Defendants.

Case No. 3:21-cv-03302-MGL-TJH-RMG

THREE-JUDGE PANEL

JOINT STIPULATION REGARDING AUTHENTICITY OF EXHIBITS

WHEREAS Plaintiffs, The South Carolina State Conference of the NAACP and Taiwan Scott, on behalf of himself and all other similarly situated persons, and all above-named

Defendants, by and through their undersigned counsel, hereby desire to enter into this stipulation concerning the authenticity of trial exhibits;

WHEREAS Plaintiffs and all Defendants above named may be collectively referred to herein as the "Parties";

WHEREAS the above-captioned case, Civil Action No. 3:21-cv-03302-MGL-TJH-RMG, may be referred to herein as the "**Action**"; and

WHEREAS the Parties met and conferred and reached an agreement regarding trial exhibits for the purposes of avoiding unnecessary disputes that could arise throughout the course of the trial in this Action in order to streamline trial.

NOW, THEREFORE, IT IS on this 1st day of October, 2022, STIPULATED as follows:

- 1. The Parties stipulate to the authenticity, under Federal Rule of Evidence 901, of all exhibits exchanged in advance of trial pursuant to Local Civil Rule 26.05.
- 2. The Parties stipulate to the foundation, under to Federal Rule of Evidence 602, of all exhibits exchanged in advance of trial pursuant to Local Civil Rule 26.05.
- 3. The Parties further agree not to call witnesses for the sole purpose of laying a foundation for an exhibit or authenticating an exhibit.

[Signature Pages Follow]

Dated: October 1, 2022

Leah C. Aden\*\*
Stuart Naifeh\*\*
Raymond Audain\*\*
John S. Cusick\*\*
NAACP LEGAL DEFENSE &
EDUCATIONAL FUND, INC.
40 Rector St, 5th Fl.
NY, NY 10006
Tel.: (212) 965-7715
laden@naacpldf.org

Santino Coleman\*\*\*Fed. ID 11914 Antonio L. Ingram II\*\* NAACP LEGAL DEFENSE & EDUCATIONAL FUND, INC. 700 14th St, Ste. 600 Washington, D.C. 20005 Tel.: (202) 682-1300 aingram@naacpldf.org

Adriel I. Cepeda Derieux\*\*
AMERICAN CIVIL LIBERTIES
UNION FOUNDATION
125 Broad Street, 18th Floor
New York, NY 10004
Tel.: (212) 549-2500
acepedaderieux@aclu.org

John A. Freedman\*\*
Elisabeth S. Theodore\*
Gina M. Colarusso\*\*
John M. Hindley\*\*
ARNOLD & PORTER
KAYE SCHOLER LLP
601 Massachusetts Ave., N.W.
Washington, D.C. 20001
Tel: (202) 942-5000
john.freedman@arnoldporter.com

Janette M. Louard\*
Anthony P. Ashton\*
Anna Kathryn Barnes\*
NAACP OFFICE OF THE GENERAL COUNSEL

#### Respectfully submitted,

<u>/s/ Allen Chaney</u>

Allen Chaney, Fed. ID 13181 AMERICAN CIVIL LIBERTIES UNION OF SOUTH CAROLINA Charleston, SC 29413-0998 Tel.: (843) 282-7953

Tel.: (843) 282-7953 Fax: (843) 720-1428 achaney@aclusc.org

Christopher J. Bryant, Fed. ID 12538 BOROUGHS BRYANT, LLC 1122 Lady St., Ste. 208 Columbia, SC 29201 Tel.: (843) 779-5444 chris@boroughsbryant.com

Somil B. Trivedi\*\*
Patricia Yan\*\*
AMERICAN CIVIL LIBERTIES
UNION FOUNDATION
915 15th St., NW
Washington, DC 20005
Tel.: (202) 457-0800
strivedi@aclu.org

Jeffrey A. Fuisz\*\*
Paula Ramer\*\*
ARNOLD & PORTER KAYE
SCHOLER LLP
250 West 55th Street
New York, NY 10019
Tel: (212) 836-8000
jeffrey.fuisz@arnoldporter.com
Sarah Gryll\*\*
ARNOLD & PORTER KAYE
SCHOLER LLP
70 West Madison Street, Suite 4200
Chicago, IL 60602-4231
Tel: (312) 583-2300
sarah.gryll@arnoldporter.com

4805 Mount Hope Drive Baltimore, MD 21215 Tel: (410) 580-5777 jlouard@naacpnet.org

Counsel for Plaintiff the South Carolina Conference of the NAACP

- \* Motion for admission *Pro Hac Vice* forthcoming
- \*\* Admitted *Pro Hac Vice*
- \*\*\* Mailing Address Only (working remotely from South Carolina)

## s/Jane Trinkley

M. Elizabeth Crum (Fed. Bar #372) Jane W. Trinkley (Fed. Bar #4143) Michael R. Burchstead (Fed. Bar #102967)

## **BURR & FORMAN LLP**

Post Office Box 11390 Columbia, SC 29211 Telephone: (803) 799-9800

Facsimile: (803) 753-3278

Thomas W. Nicholson (Fed. Bar #12086)

tnicholson@elections.sc.gov

**South Carolina State Election Commission** 

1122 Lady St., 5th Floor, Columbia, SC. 29250

Telephone: (803) 734-9060 Facsimile: (803) 734-9366

Attorneys for Election Commission Defendants

# s/ Michael A. Parente

William W. Wilkins (Fed. ID No. 4662)

Andrew A. Mathias (Fed. ID No. 10166)

Konstantine P. Diamaduros (Fed. ID No. 12368)

NEXSEN PRUET, LLC

104 S. Main Street, Suite 900

Greenville, SC 29601

Telephone: 864.370.2211

BWilkins@nexsenpruet.com

AMathias@nexsenpruet.com

KDiamaduros@nexsenpruet.com

Mark C. Moore (Fed. ID No. 4956)

Jennifer J. Hollingsworth (Fed. ID No. 11704)

Hamilton B. Barber (Fed. ID No. 13306)

Michael A. Parente (Fed. ID No. 13358)

NEXSEN PRUET, LLC

1230 Main Street, Suite 700

Columbia, SC 29201

Telephone: 803.771.8900

MMoore@nexsenpruet.com

JHollingsworth@nexsenpruet.com

HBarber@nexsenpruet.com

MParente@nexsenpruet.com

Rhett D. Ricard (Fed. ID No. 13549)

NEXSEN PRUET, LLC

205 King Street, Suite 400

Charleston, SC 29401

Telephone: 843.720.1707

RRicard@nexsenpruet.com

## Attorneys for House Defendants

# /s/Robert E. Tyson Jr.

Robert E. Tyson, Jr. (7815)

Vordman Carlisle Traywick, III (12483)

La'Jessica Stringfellow (13006)

ROBINSON GRAY STEPP & LAFFITTE, LLC

1310 Gadsden Street

Post Office Box 11449 (29211)

Columbia, South Carolina 29201

(803) 929-1400

rtyson@robinsongray.com

ltraywick@robinsongray.com

# lstringfellow@robinsongray.com

John M. Gore\*\*
Stephen J. Kenny\*\*
JONES DAY
51 Louisiana Avenue, N.W.
Washington, D.C. 20001
Phone: (202) 879-3939
Fax: (202) 626-1700
jmgore@jonesday.com
skenny@jonesday.com

Counsel for Senate Defendants
\*\* Admitted Pro Hac Vice